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10 Attorneys for Plaintiffs

11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **(SAN FRANCISCO DIVISION)**

14 HERSH & HERSH  
15 A Professional Corporation

16 STATE OF CALIFORNIA ex rel. ) CASE NUMBER 07-cv-04911-SI  
17 JAYDEEN VICENTE and JAYDEEN )  
18 VICENTE Individually, ) **DECLARATION OF JEANETTE HAGGAS**  
19 Plaintiffs, ) **IN SUPPORT OF PLAINTIFFS'**  
20 vs. ) **OPPOSITION TO DEFENDANT ELI LILLY**  
21 ) **AND COMPANY'S EX PARTE MOTION**  
22 ) **FOR LEAVE TO PLACE DOCUMENTS**  
23 ) **UNDER SEAL**  
24 )  
25 )  
26 )  
27 )  
28 )

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1 I, Jeanette Haggas, declare:

2       1. I am an attorney duly licensed to practice law before the Courts of the State of  
3           California. I am an associate in the law firm of Hersh & Hersh, attorneys of  
4           record for Plaintiff in this action. I have personal knowledge of the facts set  
5           forth herein and, if called as a witness, could and would competently testify  
6           thereto.

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8       2. I make this Declaration in Support of Plaintiffs' Opposition To Defendant Eli  
9           Lilly And Company's *Ex Parte* Motion For Leave To Place Documents Under  
10           Seal.

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12       3. Attached as **Exhibit A** is a true and correct copy of the Opinion & Order,  
13           dated August 3, 2007, in the action entitled, *South Carolina v. Eli Lilly & Co.*,  
14           Slip Op., 2007 WL 2261693 (D.S.C. Aug. 3, 2007). In this action, the  
15           plaintiff alleged similar claims against Eli Lilly and Company ("Lilly") as the  
16           Plaintiffs in the case at bar. The District Court for the District of South  
17           Carolina granted plaintiff's motion to remand.

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19       4. Attached as **Exhibit B** is a true and correct copy of the Order Re: Plaintiff's  
20           Claim Of Proof, dated August 1, 2007, in the action entitled, *Alaska v. Eli*  
21           *Lilly & Co.*, Slip Op., No. 06-88, 2006 WL 2168831, at \*2 (D. Ak. July 28,  
22           2006). In this action, the plaintiff alleged similar claims against Lilly as the  
23           Plaintiffs in the case at bar. The District Court for the District of Alaska  
24           granted plaintiff's motion to remand.

1           5. Attached as **Exhibit C** is a true and correct copy of the Memorandum  
2           Decision And Order Denying Defendants' Motion To Stay And Granting  
3           Plaintiff's Motion To Remand, dated September 4, 2007, in the action  
4           entitled, *Utah v. Eli Lilly & Co.*, Slip. Op., No. 07-380 (D. Utah Sept. 4,  
5           2007). In this action, the plaintiff alleged similar claims against Lilly as the  
6           Plaintiffs in the case at bar. The District Court for the District of Utah granted  
7           plaintiff's motion to remand.

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9           6. Attached as **Exhibit D** is a true and correct copy of the Memorandum And  
10          Order, dated June 27, 2007, in the action entitled, *Pennsylvania v. Eli Lilly &*  
11          *Co.*, No. 07-1083, 2007 WL 1876531 (E.D. Pa. June 27, 2007). In this action,  
12          the plaintiff alleged similar claims against Lilly as the Plaintiffs in the case at  
13          bar. The District Court for the Eastern District of Pennsylvania granted  
14          plaintiff's motion to remand.

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16          7. Attached as **Exhibit E** is a true and correct copy of a press release entitled,  
17          “Lilly Announces Updates to the Zyprexa and Symbyax U.S. Labels,” dated  
18          October 5, 2007, and available online at  
19          <http://newsroom.lilly.com/releaseDetail.cfm?ReleaseID=267502>.

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8. Attached as **Exhibit F** is a true and correct copy of an article entitled, "Zyprexa Documents," which is available online at <http://www.furiousseasons.com/zyprexadocs.html>.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on October 15, 2007, at San Francisco, California.

By s/Jeanette Haggas  
JEANETTE HAGGAS

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